REPORT OF THE AUDIT OF THE NICHOLAS COUNTY FISCAL COURT

For The Fiscal Year Ended June 30, 2003



CRIT LUALLEN AUDITOR OF PUBLIC ACCOUNTS

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EXECUTIVE SUMMARY

AUDIT EXAMINATION OF THE NICHOLAS COUNTY FISCAL COURT

For The Fiscal Year Ended June 30, 2003

The Auditor of Public Accounts has completed the Nicholas County Fiscal Court audit for fiscal year ended June 30, 2003. We have issued an unqualified opinion on the financial statements taken as a whole. Based upon the audit work performed, the financial statements are presented fairly in all material respects.

Financial Condition:

Fund balances decreased by \$47,381 from the beginning of the year, resulting in a cash surplus of \$695,566 as of June 30, 2003.

Debt Obligations:

Capital lease principal agreements totaled \$205,985 as of June 30, 2003. Future principal and interest payments of \$243,942 are needed to meet these obligations.

Report Comment:

All County Employees Should Maintain Timesheets

Deposits:

The fiscal court's deposits were insured and collateralized by bank securities or bonds.

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CRIT LUALLEN AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky
Honorable Ernie Fletcher, Governor
Robbie Rudolph, Secretary, Finance and Administration Cabinet
Honorable Larry Tincher, Nicholas County Judge/Executive
Members of the Nicholas County Fiscal Court

Independent Auditor's Report

We have audited the accompanying statement of assets, liabilities, and equity arising from cash transactions of Nicholas County, Kentucky, as of June 30, 2003, the related statement of cash receipts, cash disbursements, and changes in cash balances-all governmental fund types; the combined statement of revenues, expenses, and changes in retained earnings-all non-expendable trust funds; and the related statement of cash flows-all non-expendable trust funds for the year then ended. These financial statements are the responsibility of the Nicholas County Fiscal Court. Our responsibility is to express an opinion on these financial statements based on our audit. We did not audit the financial statements of the Nicholas County Senior Citizens Center - Title III B, C, and Homecare Program. Those financial statements were audited by other auditors whose report has been furnished to us, and our opinion, insofar as it relates to the amounts included for the Nicholas County Senior Citizens Center - Title III B, C, and Homecare Program, is based on the report of the other auditors.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for Fiscal Court Audits issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, Nicholas County, Kentucky, prepares its financial statements on a prescribed basis of accounting that demonstrates compliance with the modified cash basis, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. However, the financial statements of Nicholas County Senior Citizens Center - Title III B, C, and Homecare Program, a discretely presented component unit, have been prepared under accounting principles generally accepted in the United States of America, which is inconsistent with the basis of accounting Nicholas County, Kentucky, uses to prepare its financial statements.



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A primary government is a legal entity or body politic and includes all funds, organizations, institutions, agencies, departments, and offices that are not legally separate. Such legally separate entities are referred to as component units. In our opinion, the primary government financial statements present fairly, in all material respects, the financial position of the primary government of Nicholas County, Kentucky, as of June 30, 2003, and the results of its operations and the cash flows of its nonexpendable trust funds for the year then ended in conformity with the modified cash basis of accounting.

However, the primary government financial statements, because they include the financial data of component units of Nicholas County, Kentucky, presented according to a basis of accounting inconsistent with that of the primary government, do not purport to, and do not, present fairly the financial position of Nicholas County, Kentucky, as of June 30, 2003, and the results of its operations and the cash flows of its nonexpendable trust funds for the year then ended in conformity with the modified cash basis of accounting.

In accordance with <u>Government Auditing Standards</u>, we have also issued our report dated November 18, 2003, on our consideration of Nicholas County, Kentucky's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grants. That report is an integral part of an audit performed in accordance with <u>Government Auditing Standards</u> and should be read in conjunction with this report in considering the results of our audit.

The accompanying financial information listed as supporting schedules in the table of contents is presented for purposes of additional analysis and is not a required part of the financial statements of Nicholas County, Kentucky. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A–133, <u>Audits of States, Local Governments and Non-Profit Organizations</u>, and is not a required part of the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the financial statements taken as a whole.

Based on the results of our audit, we present the schedule of findings and questioned costs, included herein, which discusses the following report comment:

• All County Employees Should Maintain Timesheets

Respectfully submitted,

Crit Luallen

Auditor of Public Accounts

Audit fieldwork completed - November 18, 2003

NICHOLAS COUNTY OFFICIALS

For The Fiscal Year Ended June 30, 2003

Fiscal Court Members:

Larry Tincher County Judge/Executive

Daryl Stacy Magistrate
Steve Hamilton Magistrate
Billy Dixon Magistrate
Avery Thornsburg Magistrate
Jeff Randolph Magistrate

Other Elected Officials:

Dawn Letcher County Attorney

Jeff Sidles Jailer

Douglas Fryman County Clerk

Sandye Watkins Circuit Court Clerk

Dick Garrett Sheriff

Michelle McDonald Property Valuation Administrator

Roy Gaunce Coroner

Appointed Personnel:

Wanda Dotson County Treasurer

Dana Price Finance Officer/Occupational Tax Collector



STATEMENT OF ASSETS, LIABILITIES, AND EQUITY ARISING FROM CASH TRANSACTIONS

NICHOLAS COUNTY STATEMENT OF ASSETS, LIABILITIES, AND EQUITY ARISING FROM CASH TRANSACTIONS

June 30, 2003

	Governmental Fund Types								
		General	Special Revenue			Debt Service			
Assets and Other Resources									
Assets									
Cash and Cash Equivalents Accounts Receivable - Homecare Mutual Funds - Fixed Income Mutual Funds - Equity	\$	538,817	\$	132,238	\$	36,625			
Total Assets	_\$	538,817	\$	132,238	\$	36,625			
Other Resources									
Amounts to Be Provided in Future Years for:									
Capital Lease	\$	205,985	\$		\$				
Total Other Resources	\$	205,985	\$	0	\$	0			
Total Assets and Other Resources	\$	744,802	\$	132,238	\$	36,625			

NICHOLAS COUNTY STATEMENT OF ASSETS, LIABILITIES, AND EQUITY ARISING FROM CASH TRANSACTIONS June 30, 2003 (Continued)

Fiduciary Fund Types	Totals Iemorandum Only) Primary Government		Component Unit		•		Totals norandum Only) Reporting Entity
Trust and Agency		Nicholas County Senior Citizens Center					
\$ 152,005	\$ 859,685	\$	21,796 764	\$	881,481 764		
1,849,850 633,190	1,849,850 633,190		/04		1,849,850 633,190		
\$ 2,635,045	\$ 3,342,725	\$	22,560	\$	3,365,285		
\$	\$ 205,985	\$		\$	205,985		
\$ 0	\$ 205,985	\$	0	\$	205,985		
\$ 2,635,045	\$ 3,548,710	\$	22,560	\$	3,571,270		

NICHOLAS COUNTY STATEMENT OF ASSETS, LIABILITIES, AND EQUITY ARISING FROM CASH TRANSACTIONS June 30, 2003 (Continued)

	Governmental Fund Types							
		<u>General</u>		Special Revenue		Debt Service		
Liabilities and Equity								
<u>Liabilities</u>								
Capital Lease (Note 4) Payroll Liabilities Bonds Matured and Unpresented Interest Matured and Unpresented Premium on Called Bonds Accounts Payable - Title III Accounts Payable - Homecare	\$	205,985 12,116	\$		\$	5,000 4,642 100		
Total Liabilities	\$	218,101	\$	0	\$	9,742		
<u>Equity</u>								
Retained Earnings: Restricted Fund Balances: Reserved Unreserved	\$	9,034 517,667	\$	132,238	\$	26,883		
Total Equity	\$	526,701	\$	132,238	\$	26,883		
Total Liabilities and Equity	\$	744,802	\$	132,238	\$	36,625		

NICHOLAS COUNTY STATEMENT OF ASSETS, LIABILITIES, AND EQUITY ARISING FROM CASH TRANSACTIONS June 30, 2003 (Continued)

Fiduciary Fund Types	Primary Component Government Unit				Reporting Entity			
Trust and Agency			Nicholas County Senior Citizens Center					
\$	\$	205,985	\$		\$	205,985		
		12,116 5,000				12,116 5,000		
		3,000 4,642				3,000 4,642		
		100				100		
				1,397		1,397		
				1,393		1,393		
\$ 0	\$	227,843	\$	2,790	\$	230,633		
\$ 2,635,045	\$	2,635,045	\$		\$	2,635,045		
		168,155		19,770		187,925		
		517,667		,		517,667		
\$ 2,635,045	\$	3,320,867	\$	19,770	\$	3,340,637		
\$ 2,635,045	\$	3,548,710	\$	22,560	\$	3,571,270		



STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN CASH BALANCES - ALL GOVERNMENTAL FUND TYPES

178,634

NICHOLAS COUNTY STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN CASH BALANCES - ALL GOVERNMENTAL FUND TYPES

For The Fiscal Year Ended June 30, 2003

\$

General Fund	- '	oad and Bridge Fund	J;	ail Fund
763,116	\$	780,459	\$	37,581
83,500 8,471				148,579
855,087	\$	780,459	\$	186,160

60,000

9,428

General Fund Types

Comparative Schedule of Final Budget			
and Budgeted Expenditures	\$ 633,165	\$ 720,514	\$
Other Financing Uses:			

Capital Leases: Principal Paid 14,724 Disbursements - Nicholas County Senior Citizens Center

Total Cash Disbursements	\$ 853,468	_\$	789,942	_\$	178,634
Excess (Deficiency) of Cash Receipts					

205,579

Over (Under) Cash Disbursements Cash Balance - July 1, 2002	\$ 1,619 411,038	\$ (9,483) 93,187	\$ 7,526 864
Cash Balance - June 30, 2003	\$ 412,657	\$ 83,704	\$ 8,390

^{*} Cash Balance Includes Investments

Cash Receipts

Transfers In

Schedule of Operating Revenue

Transfers from Trust Funds

Receipts - Nicholas County Senior

Other Financing Sources:

Citizens Center

Total Cash Receipts

Cash Disbursements

Transfers Out

NICHOLAS COUNTY STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN CASH BALANCES - ALL GOVERNMENTAL FUND TYPES For The Fiscal Year Ended June 30, 2003 (Continued)

	General F	und 7	ypes	Special Revenue Fund Types							
Gov Ec As	Local vernment conomic sistance Fund]	Landfill Fund		Phase I Tobacco Fund		Aathers ucational Fund	F	Small Business Fund	1	Panel Masters Fund
\$	18,860	\$	43,948	\$	211,870	\$	4,069	\$	209,500	\$	300,000
			57,000				101,323				
\$	18,860	\$	100,948	\$	211,870	\$	105,392	\$	209,500	\$	300,000
\$	24,922	\$	98,323	\$	238,415 23,500	\$	81,231	\$	229,231	\$	300,000
\$	24,922	\$	98,323	\$	261,915	\$	81,231	\$	229,231	\$	300,000
\$	(6,062) 18,979	\$	2,625 6,409	\$	(50,045) 93,032	\$	24,161 65,091	\$	(19,731) 19,731	\$	
\$	12,917	\$	9,034	\$	42,987	\$	89,252	\$	0	\$	0

NICHOLAS COUNTY STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN CASH BALANCES - ALL GOVERNMENTAL FUND TYPES For The Fiscal Year Ended June 30, 2003 (Continued)

Special	
Revenue	Debt Service
Fund Types	Fund Type

Cash Receipts	A-SSED Fund	Н	Voted lospital nd Fund	Totals (Memorandum Only Primary Government		
Schedule of Operating Revenue Other Financing Sources: Transfers In Transfers from Trust Funds Receipts - Nicholas County Senior Citizens Center	\$ 24,500	\$	2,009	\$	2,395,912 289,079 109,794	
Total Cash Receipts	\$ 24,500	\$	2,009	\$	2,794,785	
Cash Disbursements						
Comparative Schedule of Final Budget and Budgeted Expenditures Other Financing Uses: Transfers Out Capital Leases: Principal Paid Disbursements - Nicholas County Senior Citizens Center	\$ 24,500	\$		\$	2,528,935 289,079 24,152	
Total Cash Disbursements	\$ 24,500	\$	0	\$	2,842,166	
Excess (Deficiency) of Cash Receipts Over (Under) Cash Disbursements Cash Balance - July 1, 2002	\$	\$	2,009 34,616	\$	(47,381) 742,947	
Cash Balance - June 30, 2003	\$ 0	\$	36,625	\$	695,566	

^{*} Cash Balance Includes Investments

NICHOLAS COUNTY STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN CASH BALANCES - ALL GOVERNMENTAL FUND TYPES For The Fiscal Year Ended June 30, 2003 (Continued)

Component	
Unit	

			Totals				
Nicho	las County	(Memorandum Only)					
Senio	or Citizens		Reporting				
	Center		Entity				
\$		\$	2,395,912				
			289,079				
			109,794				
	100.005		100.005				
	109,905		109,905				
\$	109,905	\$	2,904,690				
\$		\$	2,528,935				
			289,079				
			24,152				
	107,562		107,562				
\$	107,562	\$	2,949,728				
\$	2,343	\$	(45,038)				
Ψ	19,453	Ψ	762,400				
\$	21,796	\$	717,362				
Ψ	21,770	Ψ	717,302				



COMBINED STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN RETAINED EARNINGS - ALL NON-EXPENDABLE TRUST FUNDS

NICHOLAS COUNTY COMBINED STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN RETAINED EARNINGS - ALL NON-EXPENDABLE TRUST FUNDS

For The Fiscal Year Ended June 30, 2003

	Fiduciary			
	F	Fund Type		
Operating Revenues:				
Dividends	\$	100,024		
Interest		11,098		
Other		1,999		
Total Operating Revenues	\$	113,121		
Operating Expenses:				
Commissions and Fees Other Expense	\$	15,779 86		
Total Operating Expenses	\$	15,865		
Income Before Nonoperating				
Revenues	\$	97,256		
Nonoperating Revenues (Expenses):				
Transfer To Fiscal Court	\$	(109,794)		
Gain on Sale of Investments		47,763		
Total Nonoperating Expenses	\$	(62,031)		
Net Income	\$	35,225		
Retained Earnings - July 1, 2002		2,599,820		
Retained Earnings - June 30, 2003	\$	2,635,045		



STATEMENT OF CASH FLOWS - ALL NON-EXPENDABLE TRUST FUNDS

NICHOLAS COUNTY STATEMENT OF CASH FLOWS - ALL NON-EXPENDABLE TRUST FUNDS

For The Fiscal Year Ended June 30, 2003

	Fidu	uciary Fund		
	Type			
Operating Income	\$	97,256		
Adjustments To Reconcile Operating Income				
To Net Cash Provided By Operating Activities:				
Increase in Book Value of Investments		(40,034)		
Net Cash Provided By Operating Activities	\$	57,222		
Cash Flows from Noncapital Financing Activities:				
Transfers to Fiscal Court	\$	(109,794)		
Net Cash used by Noncapital				
Financing Activities	\$	(109,794)		
Cash Flows from Investing Activities:				
Gain on Sale of Investments	\$	47,763		
Net Cash Provided by Investing Activities	\$	47,763		
Net Decrease in Cash and Cash Equivalents	\$	(4,809)		
Cash and Cash Equivalents - July 1, 2002		156,814		
Cash and Cash Equivalents - June 30, 2003	\$	152,005		

NICHOLAS COUNTY NOTES TO FINANCIAL STATEMENTS

June 30, 2003

Note 1. Summary of Significant Accounting Policies

A. Reporting Entity

The financial statements of Nicholas County include the funds, agencies, boards, and entities for which the fiscal court is financially accountable. Financial accountability, as defined by Section 2100 of the GASB Codification of Governmental Accounting and Financial Reporting Standards, as amended by GASB 14, was determined on the basis of the government's ability to significantly influence operations, select the governing authority, participate in fiscal management and the scope of public service. Based upon the criteria stated in GASB 14, management has included the Nicholas County Senior Citizens Center - Title III B, C, and Homecare Program as part of the reporting entity and its financial statements are discretely presented with those of Nicholas County.

Nicholas County Senior Citizens Center - Title III B, C, and Homecare Program:

Nicholas County Senior Citizens Center - Title III B, C, and Homecare Program cannot be sued in its own name without recourse to the Nicholas County Fiscal Court, which appoints the Senior Citizens Center's Director. The fiscal court is able to impose its will on the Senior Citizens Center. The Senior Citizens Center is financially accountable to the fiscal court. This component unit is audited by other auditors.

Additional - Nicholas County Constitutional Elected Officials

- Circuit Court Clerk
- County Attorney
- County Clerk
- County Sheriff
- Property Valuation Administrator

The Kentucky constitution provides for election of the above officials from the geographic area constituting Nicholas County. Pursuant to state statute, these officials perform various services for the Commonwealth of Kentucky, its judicial courts, the fiscal court, various cities and special districts within the county, and the board of education. In exercising these responsibilities, however, they are required to comply with state laws. Audits of their financial statements are issued separately and individually and can be obtained from their respective administrative offices.

B. Fund Accounting

Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities. The government uses funds to report on its financial position and the results of its operations. A fund is a separate accounting entity with a self-balancing set of accounts. Nicholas County Fiscal Court's fund types, a definition of each, and county funds included within each fund type are listed below.

Note 1. Summary of Significant Accounting Policies (Continued)

B. Fund Accounting (Continued)

1) General Fund Type

General Fund Type accounts for all financial resources except those required to be accounted for in another fund type. The Nicholas County General Fund Type includes the following county funds: General Fund, Road and Bridge Fund, Jail Fund, Local Government Economic Assistance Fund, and the Landfill Fund.

2) Special Revenue Fund Type

Special Revenue Fund Type accounts for the proceeds of specific revenue sources that are legally restricted to expenditures for the specified purpose. The Nicholas County Special Revenue Fund Type includes the following county funds: Phase I Tobacco Fund, Mathers Educational Fund, Small Business Fund, Panel Masters Fund, and the EDA-SSED Fund.

3) Debt Service Fund Type

Debt Service Fund Type accounts for the accumulation of resources for the payment of general long-term debt principal and interest and includes funds for the Voted Hospital Bond Fund.

4) Fiduciary Fund Type

Fiduciary Fund Type accounts for assets held on behalf of outside parties, including other governments, or on behalf of other funds within the government. When these assets are held under the terms of a formal trust agreement, either a pension trust fund, a non-expendable trust fund, or an expendable trust fund is used. The terms "non-expendable" or "expendable" refer to whether or not the government is under obligation to maintain trust principal.

Non-expendable trust funds account for revenue expensed to carry out the objectives of the trust and for the corpus (principal) of the trust, which must remain intact. The Nicholas County Non-expendable Trust Funds include the following: Mathers Educational Trust Fund and the Knox Hospital Trust Fund.

C. Basis of Accounting

For all fund types, the county utilizes a modified cash basis of accounting, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under this basis of accounting, assets, liabilities, and related revenues and expenditures are recorded when they result from cash transactions, with a few exceptions. This modified cash basis recognizes revenues when received, except for the recording of long-term receivables. Expenditures are recognized when paid, except for the recording of long-term obligations and amounts to be provided in future years.

Note 1. Summary of Significant Accounting Policies (Continued)

D. Legal Compliance - Budget

The Nicholas County budget is adopted on a cash basis of accounting and according to the laws of Kentucky as required by the State Local Finance Officer. The County Judge/Executive is required to submit estimated receipts and proposed expenditures to the fiscal court by May 1 of each year. The budget is prepared by fund, function, and activity and is required to be adopted by the fiscal court by July 1.

The fiscal court may change the original budget by transferring appropriations at the activity level; however, the fiscal court may not increase the total budget without approval by the State Local Finance Officer. Expenditures may not exceed budgeted appropriations at the activity level.

Formal budgets are not adopted for the non-expendable trust funds because the trust agreements do not require these funds to be budgeted.

E. Cash and Investments

Cash includes amounts in bank accounts, and investments are stated at cost. Investments may include certificates of deposit on the financial statements; however, for the purpose of disclosing credit risk (Note 3), investments exclude certificates of deposit.

KRS 66.480 authorizes the county to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Employee Retirement System

The county has elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a multiple-employer public retirement system which covers all eligible full-time employees. Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 6.34 percent.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65.

Historical trend information showing the CERS' progress in accumulating sufficient assets to pay benefits when due is present in the Kentucky Retirement Systems' annual financial report.

Note 3. Deposits and Investments

A. Deposits

The county maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the county and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met, and as of June 30, 2003, the county's deposits were fully insured or collateralized at a 100% level with collateral of either pledged securities held by the county's agent in the county's name, or provided surety bond which named the county as beneficiary/obligee on the bond.

B. Investments

The county's investments are categorized below to give an indication of the level of risk assumed by the county at year-end. Category 1 includes investments that are insured or registered or the securities are held by the county or by the county's agent in the county's name. Category 2 includes uninsured and unregistered investments where the securities are held by the financial institution in the county's name. Category 3 includes uninsured and unregistered investments where the securities were held by the financial institution, but not in the county's name.

Types of	 	Cate	gory	 	Carrying	Market
Investments	 1		2	 3	 Amount	 Value
Cash Equivalents Mutual Funds - Fixed Income Mutual Funds - Equity	\$	\$		\$ 152,005 1,849,850 633,190	\$ 152,005 1,729,148 661,586	\$ 152,005 1,849,850 633,190
Totals	\$ 0	\$	0	\$ 2,635,045	\$ 2,542,739	\$ 2,635,045

Note 4. Capital Leases

The Nicholas County Fiscal Court entered into a lease agreement for \$291,000, with the Kentucky Association of Counties Leasing Trust Program, for courthouse renovation, on September 24, 1997. Payments are due monthly and are calculated annually based on the outstanding principal, variable interest rate, and associated fees. The lease is to be paid in full on October 1, 2012. The outstanding principal as of June 30, 2003 was \$205,985. The following indicates scheduled debt service requirements (principal and interest only) for future periods through the end of the lease:

Fiscal Year Ended June 30	Scheduled Interest		Scheduled Principal		
2004	\$	7,329	\$	18,552	
2005		6,625		19,350	
2006		5,891		20,183	
2007		5,125		21,051	
2008		4,327		21,957	
2009-13		8,660		104,892	
Totals	\$	37,957	\$	205,985	

Note 5. Insurance

For the fiscal year ended June 30, 2003, Nicholas County was a member of the Kentucky Association of Counties' All Lines Fund (KALF). KALF is a self-insurance fund and was organized to obtain lower cost coverage for general liability, property damage, public officials' errors and omissions, public liability, and other damages. The basic nature of a self-insurance program is that of a collectively shared risk by its members. If losses incurred for covered claims exceed the resources contributed by the members, the members are responsible for payment of the excess losses.

Note 6. Flag Maintenance Account

The Nicholas County Fiscal Court established a Flag Maintenance Savings Account in 1996, consisting of contributions from the community. The contributions are to be used to maintain the electric flag on the Nicholas County Courthouse. The balance in this account at June 30, 2003, was \$700.

Note 7. Landfill Closure and Postclosure Costs

Nicholas County Fiscal Court (the County) operated a landfill that began receiving solid waste in September 1970 and continued until December 1991. The County initiated closure operations in April 1992. Closure costs at that time were estimated to be \$72,469 and the County completed the steps necessary to close the landfill in September 1993. The County appears to have met all federal, state, and local laws and regulations with regard to the closure of the landfill. The County is required to file reports with the appropriate regulatory agencies regarding the findings of the groundwater monitoring activities. Postclosure costs are estimated to be \$8,000 per year and are paid from the County's annual appropriations. During fiscal year ending June 30, 2003, the County made no expenditures on postclosure costs. The County Judge/Executive and two magistrates are performing the process of groundwater monitoring in-house. Inflation, deflation, technology, or applicable laws and regulations could affect the estimated postclosure costs.

Note 8. Non-expendable Trust Funds

The county has two trust funds, the Mathers Educational Trust Fund and the Knox Hospital Trust Fund, which were established by the wills of two residents of Nicholas County. The wills imposed that the funds be held in perpetuity, which means that the original principal amount remain intact. The income generated by the principal, less administrative costs, is to be spent for educational expenses of Nicholas County school age children and to promote the general health and welfare of the people of Nicholas County. The county accepts applications for the Mathers Educational Trust Fund and the fiscal court awards the funds based on the applications received. The fiscal court decides how the funds for the Knox Hospital Trust Fund will be disbursed.



COMBINING BALANCE SHEET - ALL NON-EXPENDABLE TRUST FUNDS

NICHOLAS COUNTY COMBINING BALANCE SHEET - ALL NON-EXPENDABLE TRUST FUNDS

For the Fiscal Year Ended June 30, 2003

	_	Fiduciary				
	Mathers		Knox		Totals	
	E	ducational	I	Hospital	(M	emorandum
Assets and Other Resources	T	rust Fund	T1	rust Fund		Only)
Assets						
Cash Equivalents - Non-Expendable Trust	\$	147,836	\$	4,169	\$	152,005
Mutual Funds - Fixed Income		1,692,379		157,471		1,849,850
Mutual Funds - Equity		463,683		169,507		633,190
Total Assets	\$	2,303,898	\$	331,147	\$	2,635,045
<u>Equity</u>						
Retained Earnings:						
Restricted	\$	2,303,898	\$	331,147	\$	2,635,045
Total Equity	\$	2,303,898	\$	331,147	\$	2,635,045



COMBINING STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN RETAINED EARNINGS - ALL NON-EXPENDABLE TRUST FUNDS

NICHOLAS COUNTY COMBINING STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN RETAINED EARNINGS - ALL NON-EXPENDABLE TRUST FUNDS

For the Fiscal Year Ended June 30, 2002

		Fiduciary l					
		Mathers		Knox	Totals		
	E	ducational	Hospital		(Memorandum		
	T	rust Fund	T1	rust Fund	Only)		
Operating Revenues:							
Dividends	\$	99,973	\$	51	\$	100,024	
Interest		1,169		9,929		11,098	
Other		592		1,407		1,999	
Total Operating Revenues	\$	101,734	\$	11,387	\$	113,121	
Operating Expenses:							
Commissions and Fees	\$	13,395	\$	2,384	\$	15,779	
Other Expense		1		85		86	
Total Operating Expenses	\$	13,396	\$	2,469	\$	15,865	
Income Before Nonoperating							
Revenues	\$	88,338	\$	8,918	\$	97,256	
Nonoperating Revenues (Expenses):							
Transfer To Fiscal Court	\$	(101,323)	\$	(8,471)	\$	(109,794)	
Gain (Loss) on Sale of Investments		45,007		2,756		47,763	
Total Nonoperating Expenses	\$	(56,316)	\$	(5,715)	\$	(62,031)	
Net Income	\$	32,022	\$	3,203	\$	35,225	
Retained Earnings - July 1, 2002		2,271,876		327,944		2,599,820	
Retained Earnings - June 30, 2003	\$	2,303,898	\$	331,147	\$	2,635,045	



COMPARATIVE SCHEDULE OF BUDGETED TO ACTUAL OPERATING REVENUE

NICHOLAS COUNTY COMPARATIVE SCHEDULE OF BUDGETED TO ACTUAL OPERATING REVENUE

For The Fiscal Year Ended June 30, 2003

Budgeted Funds General Fund Type	Budgeted Operating Revenue		C	Actual Operating Revenue	Over (Under) Budget
General Fund Road and Bridge Fund Jail Fund Local Government Economic Assistance Fund Landfill Fund	\$	594,564 655,979 185,862 13,229 98,350	\$	763,116 780,459 37,581 18,860 43,948	\$ 168,552 124,480 (148,281) 5,631 (54,402)
Special Revenue Fund Type					
Phase I Tobacco Fund Mathers Educational Fund Small Business Fund Panel Masters Fund EDA-SSED Fund		204,000 83,000 209,500 300,000 24,500		211,870 4,069 209,500 300,000 24,500	7,870 (78,931)
Debt Service Fund Type					
Voted Hospital Bond Fund		625		2,009	 1,384
Totals	\$	2,369,609	\$	2,395,912	\$ 26,303
Reconciliation					
Total Budgeted Operating Revenue Above Add: Budgeted Prior Year Surplus Less: Other Financing Uses					\$ 2,369,609 516,192 (24,152)
Total Operating Budget Per Comparative Schedule Of Final Budget and Budgeted Expenditures					\$ 2,861,649





NICHOLAS COUNTY SCHEDULE OF OPERATING REVENUE

For The Fiscal Year Ended June 30, 2003

GOVERNMENTAL FUND TYPES

Revenue Categories	General und Type	R	Special Revenue and Type	 Service d Type	(M	Totals emorandum Only)
Taxes	\$ 594,997	\$		\$ 882	\$	595,879
Excess Fees	5,870					5,870
Licenses and Permits	3,259					3,259
Intergovernmental Revenues	900,356		743,248	87		1,643,691
Charges for Services	53,847					53,847
Miscellaneous Revenues	57,325					57,325
Interest Earned	 28,310		6,691	 1,040		36,041
Total Operating Revenue	\$ 1,643,964	\$	749,939	\$ 2,009	\$	2,395,912



COMPARATIVE SCHEDULE OF FINAL BUDGET AND BUDGETED EXPENDITURES

NICHOLAS COUNTY COMPARATIVE SCHEDULE OF FINAL BUDGET AND BUDGETED EXPENDITURES

For The Fiscal Year Ended June 30, 2003

	GENERAL FUND TYPE					
Expenditure Categories	Final Budget		Budgeted Expenditures		Under (Over) Budget	
General Government	\$	341,340	\$	323,833	\$	17,507
Protection to Persons and Property	Ψ	258,708	Ψ	245,914	Ψ	12,794
General Health and Sanitation		113,514		108,073		5,441
Social Services		23,100		20,739		2,361
Recreation and Culture		52,000		52,000		_,
Roads		566,965		544,783		22,182
Debt Service		55,423		6,938		48,485
Capital Projects		63,000		59,490		3,510
Administration		363,211		293,788		69,423
Total Operating Budget - General Fund Type	\$	1,837,261	\$	1,655,558	\$	181,703
Other Financing Uses:						
Capital Lease Agreement-						
Principal on Lease		24,152		24,152		
TOTAL BUDGET - GENERAL	.	1 0 6 1 1 1 2	Ф	1 (50 51)	Φ.	101.502
FUND TYPE	\$_	1,861,413	\$_	1,679,710	\$	181,703

NICHOLAS COUNTY COMPARATIVE SCHEDULE OF FINAL BUDGET AND BUDGETED EXPENDITURES For The Fiscal Year Ended June 30, 2003 (Continued)

	SPECIAL REVENUE FUND TYPE					
Expenditure Categories		Final Budget		udgeted penditures		Under (Over) Budget
General Government	\$	300,000	\$	300,000	\$	
Social Services		146,850		80,580		66,270
Capital Projects		229,231		229,231		
Administration		322,682		263,566		59,116
TOTAL BUDGET - SPECIAL REVENUE FUND TYPE	\$	998,763	_\$	873,377	\$	125,386
		DEBT S	SERV	ICE FUNI	O TY	PE
Expenditure Categories		Final Budget		udgeted penditures		Under (Over) Budget
Debt Service Administration	\$	625 25,000	\$		\$	625 25,000
TOTAL BUDGET - DEBT SERVICE FUND TYPE	\$	25,625	\$	0	\$	25,625

REPORT ON COMPLIANCE AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

The Honorable Larry Tincher, Nicholas County Judge/Executive Members of the Nicholas County Fiscal Court

> Report On Compliance And On Internal Control Over Financial Reporting Based On An Audit Of Financial Statements Performed In Accordance With Government Auditing Standards

We have audited the financial statements of Nicholas County, Kentucky, as of and for the year ended June 30, 2003, and have issued our report thereon dated November 18, 2003. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether Nicholas County's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance that is required to be reported under Government Auditing Standards and which is described in the accompanying schedule of findings and questioned costs.

• Reference Number 2003-1: All County Employees Should Maintain Timesheets

Internal Control Over Financial Reporting

In planning and performing our audit, we considered Nicholas County's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses.

Report On Compliance And On Internal Control Over Financial Reporting Based On An Audit Of Financial Statements Performed In Accordance With Government Auditing Standards (Continued)

Internal Control Over Financial Reporting (Continued)

A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

This report is intended solely for the information and use of management, federal awarding agencies, and pass-through entities and is not intended to be and should not be used by anyone other than the specified parties.

Respectfully submitted,

Crit Luallen

Auditor of Public Accounts

Audit fieldwork completed -November 18, 2003

REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133

The Honorable Larry Tincher, Nicholas County Judge/Executive Members of the Nicholas County Fiscal Court

Report On Compliance With Requirements Applicable To Each Major Program And On Internal Control Over Compliance In Accordance With OMB Circular A-133

Compliance

We have audited the compliance of Nicholas County, Kentucky, with the types of compliance requirements described in the <u>U.S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement</u> that are applicable to each of its major federal programs for the year ended June 30, 2003. Nicholas County's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs is the responsibility of Nicholas County's management. Our responsibility is to express an opinion on Nicholas County's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Nicholas County's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of Nicholas County's compliance with those requirements.

In our opinion, Nicholas County complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended June 30, 2003.

Report On Compliance With Requirements Applicable To Each Major Program And On Internal Control Over Compliance In Accordance With OMB Circular A-133 (Continued)

Internal Control Over Compliance

The management of Nicholas County is responsible for establishing and maintaining effective internal control over compliance with requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered Nicholas County's internal control over compliance with requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Circular A-133.

Our consideration of the internal control over compliance would not necessarily disclose all matters in the internal control that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that noncompliance with applicable requirements of laws, regulations, contracts, and grants that would be material in relation to a major federal program being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over compliance and its operation that we consider to be material weaknesses.

This report is intended solely for the information and use of management, federal awarding agencies, and pass-through entities and is not intended to be and should not be used by anyone other than the specified parties.

Respectfully submitted,

Crit Luallen

Auditor of Public Accounts

Audit fieldwork completed - November 18, 2003



NICHOLAS COUNTY SCHEDULE OF FINDINGS AND QUESTIONED COSTS

For The Fiscal Year Ended June 30, 2003

A. SUMMARY OF AUDIT RESULTS

- 1. The auditor's report expresses an unqualified opinion on the financial statements of Nicholas County.
- 2. No reportable conditions relating to the audit of the financial statements are reported in the Independent Auditor's Report.
- 3. No instances of noncompliance material to the financial statements of Nicholas County were disclosed during the audit.
- 4. No reportable conditions relating to the audit of the major federal awards programs are reported in the Independent Auditor's Report.
- 5. The auditor's report on compliance for the audit of the major federal awards programs for Nicholas County expresses an unqualified opinion.
- 6. There are no audit findings relative to the major federal awards programs for Nicholas County reported in Part C of this schedule.
- 7. The program tested as a major program was: Community Development Block Grants/State's Program
- 8. The threshold for distinguishing Type A and B programs was \$300,000.
- 9. Nicholas County was not determined to be a low-risk auditee.

B. FINDINGS - FINANCIAL STATEMENTS AUDIT

REPORTABLE CONDITIONS:

None.

NONCOMPLIANCES:

Reference Number 2003-1

All County Employees Should Maintain Timesheets

Tests of payroll conducted during the audit revealed that not all county employees were maintaining timesheets. KRS 337.320(1) states, in part, that "all employers shall keep a record of: a) the amount paid each pay period to each employee; b) the hours worked each day and each week by each employee; and c) such other information as the secretary requires." We recommend that all county employees maintain timesheets as required by KRS 337.320(1).

County Judge/Executive Larry Tincher's Response:

All county employees will maintain timesheets.

PRIOR YEAR FINDINGS FINANCIAL STATEMENT AUDIT

All County Employees Should Maintain Timesheets

This comment has not been corrected and is included in the current year audit.

NICHOLAS COUNTY SCHEDULE OF FINDINGS AND QUESTIONED COSTS For The Year Ended June 30, 2003

C. FINDINGS AND QUESTIONED COSTS - MAJOR FEDERAL AWARDS PROGRAM AUDIT

None.

PRIOR YEAR FINDINGS AND QUESTIONED COSTS - MAJOR FEDERAL AWARDS PROGRAM AUDIT

2002 - FINDING NO. 2

The County Should Prepare A Schedule Of Expenditures Of Federal Awards

This finding has been corrected and will not be repeated.

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

NICHOLAS COUNTY SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

For The Fiscal Year Ended June 30, 2003

Federal Grantor Program Title Grant Name (CFDA #)	Pass-Through Grantor's Number	Exr	penditures
Cash Programs:			
U.S. Department of Housing and Urban Development			
Passed-Through State Department for Local Government: Community Development Block Grants - Panel Masters of Kentucky, Inc.			
Project (CFDA #14.228)	00-024	\$	300,000
U.S. Small Business Administration			
Small Business Administration (CFDA #59.000)	SBA-HQ-01-1-053		229,231
U.S. Department of Commerce			
EDA-SSED			
(CFDA #11.302)	04-69-04705		24,500
U. S. Federal Emergency Management Agency			
Passed-Through State Department of Military Affairs: Disaster and Emergency Assistance Grants- Coordinator Salary			
(CFDA #83.503)	Not Available		1,826
Ice Storm (CFDA #83.516)	FEMA-1454-DR-KY		15,766
Total Cash Expenditures of Federal Awards		\$	571,323

NICHOLAS COUNTY NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

For The Fiscal Year Ended June 30, 2003

Note 1 - Basis of Presentation

The accompanying Schedule of Expenditures of Federal Awards includes the federal grant activity of Nicholas County, Kentucky and is presented on a modified cash basis of accounting. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, <u>Audits of States, Local Governments, and Non-Profit Organizations.</u>

- Note 2 As required by this grant agreement, all program moneys received by the recipient after the completion of all recipient grant activities shall be used by the recipient for community or economic development activities eligible for assistance under Title I of the Housing and Community Development Act of 1974, so specified in the Commonwealth of Kentucky's Community Development Block Grant Eligible Activities Policy Statement.
- Note 3 The federal expenditures for Community Development Block Grant/Small Cities (Panel Masters of Kentucky, Inc. Project) consist of grants to subrecipients as follows:

		Pass-through
Subrecipient_	Number	Grant Amount
Nicholas County Industrial		
Development Authority	00-024	\$300,000

CERTIFICATION OF COMPLIANCE - LOCAL GOVERNMENT ECONOMIC ASSISTANCE PROGRAM

NICHOLAS COUNTY FISCAL COURT

For The Fiscal Year Ended June 30, 2003

CERTIFICATION OF COMPLIANCE

LOCAL GOVERNMENT ECONOMIC ASSISTANCE PROGRAM

NICHOLAS COUNTY FISCAL COURT

For The Fiscal Year Ended June 30, 2003

The Nicholas County Fiscal Court hereby certifies that assistance received from the Local Government Economic Assistance Program was expended for the purpose intended as dictated by the applicable Kentucky Revised Statutes.

Larry Tincher

County Judge/Executive

Wanda Dotson County Treasurer